

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Donald Bauer on September 10, 2010.

The application has been amended as follows:

Non-elected claims 18-21 have been cancelled.

The Title has been changed to read:--Method of Making an Injection Molded Container--.

2. The following is an examiner's statement of reasons for allowance: The prior art does not teach a first set of the inserts for forming a first set of features of the container being formed of a first material and a second set of inserts for forming a second set of features of the container being

formed of a second material, the first set of inserts being machined to the required shape for fitting within the carrier units and for forming the first set of features and the second set of inserts being machined so as to fit within the carrier units but one or more of the second set of inserts being formed with excess material on surfaces thereof defining said second set of features pending a decision as to the precise shape of said second set of features, whereby once said

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decision has been made the tool can be completed by machining said excess material to the required shape and assembling the inserts in the mould.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Election/Restrictions***

3. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-17, drawn to a process.

Group II, claim(s) 18 and 19, drawn to a product.

Group III, claim(s) 20 and 21, drawn to an apparatus.

4. The groups of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The special technical feature of the method claims are the steps of forming a first set of inserts of a first material and machining to the required shape for fitting the carrier unit and forming the first set of features, and forming the second set of inserts of a second material and machining to sit within the carrier unit but which includes the excess material on the surface and machining the excess material to the required shaped and assembling the inserts in the mold.

The product and mold apparatus can be produced by a different process without the use of excess material and still obtain the same product or mold apparatus.

5. During a telephone conversation with Mr. Donald Bauer on August 31, 2010 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-17.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JILL L. HEITBRINK whose telephone number is (571)272-1199. The examiner can normally be reached on Monday-Friday 9 am -2 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jill L. Heitbrink/  
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